



US Army Corps  
of Engineers®  
New England District

## FACT SHEET

**File Number:** 199902477 (single research tower) & 200102913 (overall wind farm)

**Project Managers:** Brian E. Valiton / Karen K. Adams

**Project Name:** Cape Wind Associates, L.L.C.

**Purpose of Work:** Commercial scale wind energy generation project for the NE grid

**Location:** Wind generating turbine towers at Horseshoe Shoals, Nantucket Sound, outside of Massachusetts State waters between Nantucket and Cape Cod with transmission lines connecting to Cape Cod.

**Description:** Applicant has 2 projects: a research/data tower (completed Dec. 2002) and construction of 130 energy producing wind turbines on monopole structures spread throughout an ocean area of approx. 28 sq. miles. There will be a collection grid of subsurface lines and then two transmission lines connecting to the mainland grid on Cape Cod. The structures will be up to 420 feet above the water surface with the hub height approx. 260 feet above the water surface. The site was proposed based on intensity of sustained winds, the water depths, and its accessibility to the transmission grid.

**Background/Issues:** Offshore wind farms have operated in Europe for the past 10 years but this would be the first in the US. The towers are proposed for an area outside of state waters on the Outer Continental Shelf (OCS). Under Section 10 of the Rivers and Harbors Act, the Corps regulates all structures and work in navigable waters of the United States. Section 4(f) of the Outer Continental Shelf Lands Act of 1953 extends Corps authority under Section 10 of the Rivers and Harbors Act of 1899 for fixed structures and artificial islands to include the Outer Continental Shelf. Opponents are concerned about the lack of property rights and the "precedent" of private gain in public waters without compensation. Other major issues include potential impacts to birds including endangered Roseate Terns and Piping Plovers, marine mammals including some endangered species such as Right Whales, the economy (tourism), fishing, boating, aviation and changes in the seascape.

**Current Status: a. Data Tower.** In Nov. 2001 we received an application for a single scientific data-gathering tower on the OCS outside of state waters and issued the permit on Aug. 19, 2002. On Aug. 30, 2002 we were sued in Federal Court (Civil Action No. 02-11749-JLT) challenging issuance of the permit. Opponents contend the Corps lacks jurisdiction, that the applicant has no property interests and that the EA is deficient based on the alternatives analysis and the lack of public review of the draft EA. Data tower lawsuit filings and arguments were concluded in February.

**b. Wind Farm.** The application for the entire 130 turbine wind farm and connecting transmission lines was also received in Nov. 2001. We determined that an EIS was required for the overall wind farm project (Dec. 2001). We are working with the state's MEPA office to develop a joint EIR/EIS. Our EIS scoping meetings were held Mar 6 & 7 of 2002 and the initial scope posted to our web site June 24th. Cape Winds has been continually collecting field data. We held a public information meeting November 21st. The Massachusetts Technology Collaborative began a series of stakeholder meetings Oct 10<sup>th</sup>. Corps is participating as a resource agency. At their March 12<sup>th</sup> meeting we provided a briefing on the preliminary screening criteria and initial list of alternatives sites which are currently being screened to determine which warrant detailed analysis in the DEIS. A Peer Review of the information provided at the March 12<sup>th</sup> meeting is currently underway. We have a report from Garrad Hassan tabulating all the existing and upcoming offshore wind power projects for use in our alternatives analysis.

**Next Action:** Screen out sites that do not warrant detailed evaluation as an alternative and determine which ones will need site-specific evaluation.